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SUBJECT: Tri-City Landfill. Salt River Indian Reservation. AZ

TO: Dr. Martin Topper, National Indian Coordinator. EPA
Roccena Lawatch, Region IX Indian Coordinator. EPA

FROM: Bill Wilcox

Bill W.

I ORIGINS OF THIS MEMO

I was requested to undertake a review of subject landfill by the EPA Indian Coordinator, concurred in by the Region IX Indian Coordinator. EPA. The request was generated by news stories and pictures in the Arizona Republic purporting to show that, as a consequence of stream flow in the Salt River, organic and other debris had washed into the River from the landfill. US Senator John McCain expressed his concern over the situation to a variety of Federal agencies, including EPA, and requested early remedial action. Because I was located near the Reservation and had some experience in emergency management, I was requested to visit it and report my findings. This memo is my report.

In preparing this report I met with a group of officials from the Arizona Department of Environmental Quality as follows: Marc L. Lame, Director's Special Assistant for Community Relations and Indian Coordinator, Dr. Lionel Klikoff, Environmental Health Program Supervisor, and John D. Godec, Special Assistant/ Communications. I also met with Mr Frank Mertely, Community Manager, Salt River Indian Community; Claire Miller, Inter-Tribal Council of Arizona and Randy Grant, Chief Environmental Officer, City of Scottsdale. I did not actually inspect the landfill as the River flow had decreased and, in any event, I'd visited the landfill previously. It is the position of the Tribe that there was no discharge from the landfill and the debris was from "mid-night dumping" upstream. It should be noted that for some miles up stream the West bank of the River is Tribal land with the Tribe exercising law enforcement authority on such land.

It should be noted that all persons interviewed were fully cooperative and forthcoming.

ENTERED

II SUMMARY HISTORY OF TRI-CITY LANDFILL*

There are three landfills in the area near the Salt River in the Eastern part of the Salt River Valley, between Alma School Road and Horne Rd. (See attached map). These are the Tri-Cities Landfill, the old Tri-Cities Landfill, and the North Center Street Landfill. The North Center Street landfill was formerly operated by the City of Mesa and reportedly was used from about 1954 to 1984.

In 1964 the Cities of Mesa, Scottsdale and Tempe began disposing of garbage and refuse at the old Tri-Cities Landfill, just North of the Salt River and West of Country Club Drive. This landfill was used from about 1964 to 1973. This site may have been used by other for a landfill for about five years prior to '64. The reported depth to which refuse was placed ranged from about thirty to sixty feet.

In 1973 the active Tri-Cities Landfill was placed in operations. This Landfill is located along the North side of the Salt River but East of Country Club Drive. However a small portion of this landfill is South of the Salt River in an area used temporarily in the late '70's when floods prevented crossing the Salt River at Country Club Drive. Operations at the Tri-Cities Landfill are conducted by the Salt River Pima Maricopa Indian Community. Estimated depth to which refuse has been placed has ranged up to 70 feet.

III FINDINGS

(1) The main immediate accomplishment of this exercise was to link the Tribe and ITCA together to begin the process of negotiating a grant to the Tribe from the \$500,000 set aside by Congress to begin a solid waste management program within the severe requirements of 40 CFR Parts 257 and 258, Solid Waste Disposal Facility Criteria, Final Rule. I also provided concerned parties with copies of these new regulations.

(2) Given the fact that the regulation triggers into effect in October 1993 I do not detect the sense of urgency needed to face the complex issues which seem called for with respect to a solid waste disposal facility servicing three Arizona Cities with a combined population of nearly 600,000. The Region IX coordinator has wisely organized an intra-agency task group and will expand this to include representatives of other key Federal agencies.

(3) The Tribe seems committed to constructing a major recycling facility on the reservation. The three cities will therefore need

*Source: Groundwater Quality in the vicinity of the Tri-City Landfill, prepared by Kenneth D. Schmidt and Associates, Phoenix, Arizona, July 16, 1990. See attached map.

to establish recycling procedures and facilities for the residents of their respective communities. Perhaps the Pollution Prevention Office in EPA Region IX could offer technical assistance. Regretfully these communities were largely bi-passed in a recent State grant program for recycling.

(4) The construction of a higher level on the Roosevelt dam may in the long run lower the one hundred year flood level. Present construction activity, however, may require large releases in the case of heavy rains or fast snow melt of the snow currently on the ground. The soil up-stream is reportedly largely saturated. Especially careful monitoring of the protection around the landfill and enforcement against midnight dumpers is urged.

(5) Although the Landfill does not have a lining, ground water contamination, according to studies, does not appear to be a problem.

(6) One of the first determinations should be whether or not the new regulations will require that the existing landfill be closed down. If this is required, as is likely to be the case, cost estimates and procedures for closure must be developed. An alternate acceptable site for waste from the three cities will be needed promptly.

(7) There has been some confusion over Federal authority with respect to enforcement of landfill regulations on Indian lands. It should be noted that such enforcement appears feasible under clean water legislation, specifically sections 401 and 404 of the Clean Water Act. For the present intensive technical assistance to the Tribe and the three cities is much more likely to produce results.

